IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 31ST JANUARY 2007 / 11TH MAGHA 1928

WP(C).No. 3186 of 2007(D)

PETITIONER:

DR. GEORGE SKARIAH,
LECTURER, DEPARTMENT OF ORAL AND MAXILLOFACIAL SURGERY, DENTAL COLLEGE, THIRUVANANTHAPURAM.

BY ADV. SRI.N.NANDAKUMARA MENON

RESPONDENTS:
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1. **THE STATE OF KERALA,**
   REPRESENTED BY THE SECRETARY TO GOVERNMENT,
   HEALTH AND FAMILY WELFARE DEPARTMENT, SECRETARIAT,
   THIRUVANANTHAPURAM.

2. **THE DIRECTOR OF MEDICAL EDUCATION,**
   MEDICAL COLLEGE P.O., THIRUVANANTHAPURAM.

3. **THE PRINCIPAL,**
   DENTAL COLLEGE, THIRUVANANTHAPURAM.

4. **THE PRINCIPAL,**
   DENTAL COLLEGE, CALICUT.

5. **DR.IQBAL V.,**
   LECTURER IN ORAL AND MAZILLOFACIAL SURGERY,
   DENTAL COLLEGE, KOZHIKODE.

6. **DR.ANTONY P.G.,**
   LECTURER (TRAINEE) ORAL AND MAXILLOFACIAL SURGERY,
   DENTAL COLLEGE, THIRUVANANTHAPURAM.

R1 & R2 BY GOVERNMENT PLEADER (SHRI A. J. VARGHESE)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

W.P.(C).No.3186 OF 2007

Dated this the 31st day of January, 2007

JUDGMENT

The main prayers sought in the writ petition are as follows:

(i) to issue a writ of mandamus or other appropriate writ, order or direction directing the second respondent to issue orders forthwith permitting the petitioner to rejoin duty as Lecturer in Oral and Maxillofacial Surgery in the Dental College, Calicut or in the open vacancies of Lecturer in the Medical College, Alleppy.

(ii) To issue a writ of mandamus or other appropriate writ, order or direction directing the second respondent to sanction the Medical Leave and also the half pay leave applied for by the petitioner forthwith, after cancelling the unavailed portion of the leave period.

2. Today, when the matter came up for consideration, learned Government Pleader on instructions submits that petitioner has been permitted to rejoin duty as Lecturer in Oral and Maxillofacial Surgery in the Dental College, Calicut and order has

been issued today for rejoining. It is further submitted that, regarding the second prayer, it is for the petitioner to apply for leave before the Principal concerned.

3. In such circumstances, prayer No.1 stands granted. Regarding the second prayer, it is for the petitioner to move the concerned authority. I leave open the contentions of the petitioner.

Writ petition is disposed of as above.

K.M.JOSEPH
JUDGE

sv.